

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listing of claims in the application.

**Listing of Claims:**

1. (Currently Amended) A bandwidth monitoring method suitable for use in a network on which specific type of packets are transferred in preference to packets other than the specific type of packets, comprising the steps of:

receiving a packet;

detecting flow of the received packet by judging whether the received packet coincides with a flow condition pre-defined with at least one of in-header information items other than priority information;

determining whether the received packet is of the specific type or not based on the result of the detected flow;

monitoring whether the ~~specific type of packets violate~~ received packet violates a contract bandwidth under contract with a source of the specific type of packets; and

when the ~~packets of the specific type do~~ received packet does not violate the contract bandwidth and the received packet does not correspond to the specific type of packets, transmitting the received packet after converting it to a packet having a specific value indicative of the specific type of packet in its header.

2-3. (Canceled)

4. (Currently Amended) The bandwidth monitoring method according to claim 1, further comprising the steps of:

receiving a packet whose header has a priority field indicating priority information; and

judging as to whether the received packet corresponds to the specific type of packets ~~is performed according to~~ based on a value in the priority field.

5. (Previously Presented) The bandwidth monitoring method according to claim 1,

wherein said monitoring is carried out by using a leaky bucket algorithm with a first depth of bucket when the received packet does not correspond to the specific type of packets, and a leaky bucket algorithm with a second depth of bucket different from the first depth when the received packet corresponds to the specific type of packets, thereby to judge whether or not said packet violates the contract bandwidth being under contract with the source of the packet.

6-7. (Canceled)

8. (Currently Amended) The bandwidth monitoring method according to claim 6<sub>1</sub>, further comprising the step of:

transmitting the received packet as a packet other than the specific type of packets when ~~the bandwidth being used by the source of the packet exceeds the~~ received packet violates the contract bandwidth and the received packet corresponds to the specific type of packets.

9-21. (Canceled)